

Remarks/Arguments

Claims 1 through 24 are pending in this application.

The Office Action asserts that under 35 U.S.C. §102(e), claims 1 through 7, 11, 13 through 21, and 23 are anticipated by U.S. Patent No. 6,405,181 to Lent.

Independent claim 1 recites a system for assessing risk. The system includes a user interface to receive requests and customer account information to be stored in a portfolio in a first database, a risk assessment manager that provides application functions, services and portfolio analysis based on the requests, a data integration component that provides access to at least a second database, and a corporate linkage component that provides information to the risk assessment manager for use by the risk assessment manager in determining a total risk exposure based on the portfolio.

Lent discloses a system and method for providing real time approval of credit over a network. The method includes prompting an applicant for data, such as an applicant's name, address, and social security number (col. 3 lines 55-67). The data obtained from the applicant is parsed into the exact format needed to directly access credit bureau data. The applicant is then given an opportunity to view how the submitted data has been parsed and to make corrections, if necessary (col. 4, lines 1-5). The parsed data is then validated and sent to the credit bureaus (col. 4, lines 20-22). Data is then received from the credit bureaus and a decision is made based on that data as to whether an offer of credit should be extended to the applicant (col. 4, lines 23-29).

Lent does not anticipate claim 1. A claim is anticipated only if each and every element as set forth in the claim is found in a single reference. Although Lent discloses an application engine that creates an application by communicating with an applicant using common Internet protocols (col. 3, lines 57-60), Lent fails to disclose **a user interface to receive requests and customer account information**, as recited in claim

1. The system of Lent allows an applicant to enter and correct basic information such as name, address, and social security number. However, the system of Lent does not disclose or suggest a user interface that receives requests in addition to the basic information entered by an applicant.

Additionally, Lent fails to disclose or suggest **a risk assessment manager that provides application functions, services, and portfolio analysis based on the requests**. The Office Action asserts that the disclosure in Lent of a web server communicating with a business logic server to implement various approval checking processes anticipates the risk assessment manager of claim 1. This position is untenable. The Office Action has not shown how the business server disclosed in Lent provides application functions, services and portfolio analysis. Again, Lent does not disclose or suggest a system for having a user interface for receiving requests. Even if the business logic server disclosed in Lent were able to provide application functions, services, and portfolio analysis, these actions would not be based on requests received through a user interface.

The Office Action also contends that Lent discloses a corporate linkage component that provides information to a risk assessment manager. This contention is inconsistent with the disclosure of Lent and the usage of the term “corporate linkage” in the specification of the present application. According to the specification, corporate linkage “reveals the total risk exposure within a corporate entity” (page 11, paragraph 42). By contrast, Lent discloses an Underwriter engine that uses information obtained from one or more credit bureaus to make a decision whether to grant consumer credit to an applicant. Information from a credit bureau about an individual’s credit history does not reveal the total risk exposure within a corporate entity, and so cannot be considered a corporate linkage component. Lent fails to disclose or suggest each element recited in claim 1. Consequently, claim 1 is patentable over Lent.

Claims 2 through 4 depend from independent claim 1 and are patentable over Lent for at least the reasons outlined above regarding claim 1.

Independent claim 5 recites a computer system for assessing risk, comprising a portfolio analysis component that analyzes a portfolio of customer accounts and provides a data product containing a financial profile based on the portfolio. The computer system includes a common decisioning component that automatically provides a credit decision based on the portfolio and user-defined rules and/or policies.

Lent fails to disclose or suggest each element of claim 5. Lent discloses a system enabling a real-time credit decision to be made based on information received from credit bureaus. Lent does not disclose or suggest providing a data product containing a financial profile. Lent likewise does not disclose or suggest a common decisioning component that automatically provides a credit decision based on the portfolio and user-defined rules and/or policies. The credit decision disclosed in Lent is based on attributes provided by a credit bureau in a credit report (col. 5, lines 16-37); it is not based on user-defined rules or policies. Thus, claim 5 is patentable over Lent.

Claim 6 depends from independent claim 5 and is patentable over Lent for at least the reasons given above regarding claim 5. Claim 6 recites that the common decisioning component includes a setup component that receives the user-defined rules and/or policies. Lent does not disclose or suggest a setup component. Again, the credit decision disclosed in Lent is based on specific attributes provided by a credit bureau. Lent does not disclose or suggest allowing a user to define rules or policies, let alone a setup component for receiving such user-defined rules or policies. For this additional reason, claim 6 is patentable over Lent.

Claim 7 also depends from independent claim 5 and is patentable over Lent for at least the reasons outlined above in regard to claim 5. Claim 7 recites the computer system for assessing risk comprising a configuration console component that provides administrative functions and security. The Office Action has failed to show where Lent describes a console component that provides security. Claim 7 is therefore patentable over Lent.

Independent claim 11 recites a machine-readable medium having instructions stored therein for performing a method of assessing risk. The method includes i) receiving customer account information, ii) creating a portfolio based on the customer account information by applying at least one of the following steps: entity matching, applying unique corporate identifiers, applying corporate linkage information, and applying predictive indicators, iii) providing a customer based analysis of the portfolio, iv) providing a risk score for at least one customer in the portfolio based on the customer based analysis ,and v) providing an account profile for the at least one customer.

The Office Action asserts that, at col. 5, lines 30-33, Lent discloses providing a risk score for at least one customer in a portfolio based on a customer based analysis of the portfolio. However, Lent simply describes receiving a FICO score as one of the attributes of a credit report received from a credit bureau. Lent does not disclose or suggest that the FICO score is derived from an analysis performed by the system itself. Because Lent fails to disclose or suggest each element of claim 11, claim 11 is patentable over Lent.

Claims 13 and 14 depend from independent claim 11 and are patentable over Lent for at least the reasons given above regarding claim 11.

Claim 13 recites the method of claim 11 including providing days sales outstanding information for at least one customer in the portfolio. The Office Action argues that providing days sales outstanding information is anticipated by Lent at col. 5, lines 27-31, which discloses “a 90 day attribute that indicates the number of times that the applicant has been more than 90 days late in payment of a debt.” Days sales outstanding information is defined as the average number of days to collect outstanding debt from customers, and is calculated by dividing the total amount owing by daily sales projections. Pages 11-12, paragraph 43. In other words, days sales outstanding is the number of days worth of sales currently owed a business. The 90 day attribute disclosed in Lent applies to an individual, not to a business, and has to do with payment

of a debt, not collection of payments owed. Accordingly, Lent does not disclose or suggest a method that includes providing daily sales outstanding information for a customer in a portfolio. For this additional reason, Lent does not anticipate claim 13.

Claim 14 recites the method of claim 11 wherein the account profile includes a financial statement. The Office Action asserts that Lent discloses an account profile including a financial statement at col. 5 lines 15-20. However, Lent merely discloses an application data structure “including a set of credit report objects.” Even allowing for the broadest reasonable interpretation, the term “financial statement” is a term of art in the financial services field and does not encompass the credit report objects disclosed by Lent. For this additional reason, claim 14 is patentable over Lent.

Claim 15 recites a computer-implemented method of assessing risk, which includes enhancing data in a portfolio of customer accounts by a quality assurance process, receiving and enforcing at least one user-defined rule and/or at least one user-defined policy, providing automated credit decisioning for at least one customer based on the user-defined policy, providing days sales outstanding for at least one customer in a portfolio, and providing risk information for at least one customer in the portfolio.

Lent fails to disclose or suggest each element of claim 15. Lent discloses a system allowing a user to enter basic information such as name, address, and social security number and receive a real-time credit decision. However, the credit decision disclosed in Lent is made without human intervention; it is not based on a policy or rule defined by the user. Also, as indicated above in regard to claim 13, Lent also fails to disclose a system that provides days sales outstanding information. For at least these reasons, claim 15 is not anticipated by Lent.

Claims 16 through 21, and 23 depend from independent claim 15 and are not anticipated by Lent for at least the reasons outlined above regarding claim 15.

Claim 17 recites the method of claim 15 wherein the risk information includes a **total risk exposure within a corporate entity** associated with the at least one customer. Lent discloses a system and method for providing real-time credit approval to an individual applicant. Despite the assertions of the Office Action to the contrary, Lent does not even mention corporate entities, let alone providing risk information including a total risk exposure within a corporate entity. Claim 17 is therefore patentable over Lent.

The Office Action asserts that under 35 U.S.C. §103(a), claims 8 through 10 are unpatentable in view of Lent.

Lent does not render claims 8 through 10 obvious. Claim 8 recites the system according to claim 5, further comprising a country logic component that determines a base language and a base currency for a customer in a portfolio. Claim 9 recites the system of claim 5 further comprising a database access component that retrieves country-specific data from a plurality of systems. Claim 10 recites the system of claim 9 wherein the plurality of systems are selected from the group consisting of the European Office System, Canada Bilingual Office System, United States Advanced Office Systems, Nordic, and Asian Pacific Latin America.

Claims 8 through 10 are not rendered obvious by Lent. To establish a prima facie case of obviousness, the prior art reference must teach or suggest all of the elements of the claim. This basic criteria for establishing obviousness has not been met regarding claims 8 through 10. The Office Action acknowledges that Lent does not disclose a country logic component as recited in claim 8, or a database access component as recited in claims 9 and 10. However, the Office Action indicates that “determining a base language and a base currency for [a] customer and retrieving country specific data from such a plurality of system[s] above are well known in the art.” Reliance on common knowledge in the art without citing a prior art reference is only appropriate where the facts asserted to be well known are capable of instant and unquestionable demonstration as being well known. Specific knowledge of the prior art

must always be supported by citation to some reference work recognized as standard in the pertinent art. MPEP 2144.03. The country logic component of claim 9 and the database access component of claims 9 and 10 is not capable of instant and unquestionable demonstration as being well known. It is never appropriate to rely solely on "common knowledge" in the art without evidentiary support in the record, as the principal evidence upon which a rejection is based. MPEP 2144.03. Applicants respectfully traverse the reliance on common knowledge in the art and request that the rejection be withdrawn.

The Office Action asserts that claims 12, 22, and 24 are unpatentable over Lent in view of U.S. Patent No. 6,847,942 to Land.

Claim 12 depends from independent claim 11. Lent and Land, either alone, or in combination, fail to disclose or suggest each element of claim 12. Neither Lent nor Land discloses providing a risk score for at least one customer in a portfolio based on a customer based analysis. Lent describes receiving a FICO score as one of the attributes of a credit report received from a credit bureau, but does not disclose or suggest that the FICO score is derived from an analysis performed by the system itself. Similarly, Land discloses an Accounts Receivable System that accesses information such as a Dun & Bradstreet rating and risk score, but does not disclose or suggest that the risk score is derived from an analysis performed by the Accounts Receivable System. Because Lent and Land, alone or in combination, fail to disclose or suggest each element of claim 12, claim 12 is patentable the combination of Lent and Land.

Claim 22 and 24 depend from independent claim 15. Lent fails to disclose or suggest each element of claims 22 and 24. For example, Lent fails to disclose or suggest a system that provides days sales outstanding information. Again, days sales outstanding information is defined as the average number of days to collect outstanding debt from customers, and is calculated by dividing the total amount owing by daily sales projections. Pages 11-12, paragraph 43. Lent does not disclose a system that provides this information. Land fails to correct the deficiencies of Lent. Although the Accounts

Receivable System disclosed in Land provides specific information regarding a given customer, See col. 13, lines 33-46, days sales outstanding information is not included. Lent and Land, either individually or in combination, do not disclose or suggest each element of claims 22 and 24. Claims 22 and 24 are therefore patentable over Lent and Land.

In view of the above, Applicants respectfully submit that all claims presented in this application are patentably distinguishable over the cited references and combination of references. Accordingly, Applicants respectfully request favorable consideration and that this application be passed to allowance.

Respectfully submitted,



Date: July 26, 2006

Paul D. Greeley
Reg. No. 31,019
Attorney for Applicants
Ohlandt, Greeley, Ruggiero & Perle, LLP
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
Tel: (203) 327-4500
Fax: (203) 327-6401